



STATE OF MICHIGAN
NATURAL RESOURCES COMMISSION
LANSING



JENNIFER M. GRANHOLM
GOVERNOR

April 12, 2004
RESUBMITTED: May 10, 2004

Memorandum to the Natural Resources Commission:

SUBJECT: Antlerless Deer Regulations

Authority:

The Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, authorizes the Director and the Commission to issue orders to manage animals in this state.

Discussion and Background:

The Michigan Department of Natural Resources is committed to managing white-tailed deer in balance with its habitat to yield healthy fawns, does, and bucks.

Antlerless license quotas are the primary tool used to manage deer populations. Privately-owned lands enrolled as Commercial Forests (CF) are open to public hunting, under the provisions of Part 511, Commercial Forests. Private and public land antlerless licenses are valid on CF land. In Deer Management Units (DMU) with large acreage of CF lands, management of the deer herd on public land, CF land, and non-commercial forest private lands become problematic. The habitat and deer population on CF land resembles public lands more than non-commercial forest private lands. It is impossible to know how many private land antlerless licenses are used by the general public on CF lands and not on non-commercial forest private land. This creates excessive hunting pressure on CF lands, compared to the adjacent public land with the same deer densities. This also makes it difficult to direct private land licenses to non-commercial forest private lands that require additional harvest. To assist field staff with the ability to manage deer on CF and non-commercial forest private lands, the Department recommends that only public land antlerless licenses be valid on CF lands.

A system is needed to allow for controlled public deer hunting on state/publicly-owned land typically closed to hunting, such as wildlife refuges, state parks, and lands owned by other state agencies. Un-hunted deer populations tend to expand beyond the habitat's capability, which leads to habitat degradation and adverse impacts to other wildlife species. Land managers still need to control access to these specific parcels of state/publicly-owned properties while providing a regulated hunting opportunity to the general public. The development of a Managed Deer Hunting (MDH) Permit for state land will provide the flexibility required for controlled access hunting on these parcels. The fee for MDH Permits will be the same as Deer Management Assistance Permits.

Keith J. Charters-Chair ? Mary Brown ? Bob Garner ? Gerald Hall ? John Madigan ? William Parfet ? Frank Wheatlake

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Private land antlerless licenses become available the day following the public land antlerless license application period. The demand on the Retail Sales System the first day a license goes on sale requires staff availability to address problems with the system and point-of-sales questions. The Department recommends the private land antlerless licenses become available the first business day following the public land antlerless license application period. This would ensure staff availability to address these problems and questions as they arise.

Recommendation:

This order was submitted for information only at the May 2004 meeting of the Natural Resources Commission. This item appeared in the May 24, 2004, Calendar and is eligible for approval on June 4, 2004. We are now recommending that it be acted upon at this meeting.

William E. Moritz, Acting Chief Wildlife Division	Alan Marble, Acting Chief Law Enforcement Division	George E. Burgoyne, Jr. Resource Management Deputy
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I have analyzed and discussed these recommendations with staff and concur as to matters over which the Natural Resources Commission has authority.

Rebecca A. Humphries
Director

WILDLIFE CONSERVATION ORDER

Amendment No. 12 of 2004

Under the authority of sections 40107 and 40113a, Act No. 451 of the Public Acts of 1994, as amended, being sections 324.40107 and 324.40113a of the Michigan Compiled Laws, the Natural Resources Commission and the Director of the Department of Natural Resources ordered that effective June 5, 2004, the following sections of the Wildlife Conservation Order shall read as follows:

3.102 Antlerless deer license; validity; authority; types; restrictions; units.

Sec. 3.102. (1) Antlerless deer licenses are only valid in their specified deer management unit when the unit has a season open to the taking of deer. Antlerless deer licenses do not grant permission to hunt on private property without the permission of the owner. A person purchasing an antlerless deer license over the counter shall do so in person.

(2) Antlerless deer licenses shall only be valid for taking an antlerless deer.

(3) Except as otherwise provided in this subsection, the holder of a valid public land antlerless deer license shall only take a deer from publicly owned lands within the deer management unit specified on the antlerless deer license. Public land antlerless deer licenses shall not be valid on any privately owned lands except lands open to hunting by the general public under the provisions of Part 511, Commercial Forests, of the Natural Resources and Environmental Protection Act, Act 451 of the Public Acts of 1994, being sections 324.51101 to 324.51120 of the Michigan Compiled Laws.

(4) The holder of a valid private land antlerless deer license shall only take a deer from privately owned lands within the deer management unit specified on the private land antlerless deer license. The private land antlerless deer license shall not be valid on publicly owned lands and lands open to hunting by the general public under the provisions of Part 511, Commercial Forests, of the Natural Resources and Environmental Protection Act, Act 451 of the Public Acts of 1994, being sections 324.51101 to 324.51120 of the Michigan Compiled Laws.

(5) The director shall determine the deer management units, as defined in chapter XII, open to the taking of antlerless deer by public land antlerless deer license or private land antlerless deer license, or any combination.

(6) The director may issue private land antlerless deer licenses through the retail sales system on a first-come, first-served basis for use in designated deer management units where such issuance is in the best interest of deer management.

(7) The director may issue antlerless deer licenses through the retail sales system on a first-come, first-served basis for use in designated deer management units when the director determines that antlerless deer licenses remain unsold after the drawing, provided for in section 3.104, has been held or where such issuance is in the best interest of deer management.

(8) Young hunters, 12 to 16 years of age on or before the 4th Saturday in September, may purchase 1 private or public land antlerless deer license, over the counter, on a first-come, first-served basis, through August 1 for any deer management unit open to the taking of antlerless deer.

(9) Starting the first business day following August 1, a person shall not purchase more than 1 antlerless deer hunting license per calendar day.

5.81 Managed deer hunting (MDH) permits; criteria for issuance, validity of permits, restrictions and requirements; unlawful acts.

Sec. 5.81. (1) The sale of managed deer hunting (MDH) permits may be authorized by the wildlife division chief for state lands requiring an access permit and open to deer hunting by lottery. Individuals wishing to participate in a managed deer hunt must apply for a MDH permit through a lottery system in accordance with instructions provided by the department. A successful applicant in the lottery may purchase a MDH permit.

(2) MDH permits are valid only during the dates specified and upon these state lands specified on the permit. MDH permits are valid only for the taking of an antlerless deer.

(3) It shall be unlawful for a person issued a MDH permit to take or attempt to take an antlered deer during the open season upon these state lands specified on the permit. A person less than 14 years of age shall not hunt deer with a firearm. A person hunting under the authority of a MDH permit shall carry the unused permit and shall exhibit the unused permit upon the request of a law enforcement officer.

(4) A MDH permit shall be authorized only to a person who purchased a bow and arrow deer, firearm deer, combination deer, or antlerless deer hunting license for the current hunting seasons. A person shall not acquire, carry afield, use or attempt to use a MDH permit unless they had purchased a bow and arrow deer, firearm deer, combination deer, or antlerless deer license for the current hunting seasons. Managers shall inform hunters about rules pertaining to the use of MDH permits.

(5) A person authorized to purchase a MDH permit shall not sell, lend, or allow another person to use or attempt to use the person's MDH permit.

(6) The provisions of section 3.103 shall apply to a permit and kill tag authorized under this section. In addition, unless otherwise provided in this section, a person authorized to purchase a MDH permit shall comply with all rules and regulations for the taking of deer for the season in which they are hunting.

(7) Deer taken under the authority of a MDH permit shall not be included in the season limit as defined in section 3.101(8) of this order. The daily limit and season limit shall be 1 deer per MDH permit.

5.110 Special permits; fees; disposition.

Sec. 5.110. The following fees are established for permits issued by the director:

(1) A fee of \$50.00 shall be collected for each taxidermy permit issued. Taxidermy specimen identification tags shall be \$6 per hundred.

(2) A fee equivalent to the fee charged for a resident antlerless deer hunting license shall be collected for each MDH permit and each DMA permit purchased by a permittee.

(3) All moneys received from the sale of permits and licenses as provided in this section shall be turned over to the state treasurer and credited to the game and fish protection fund.

(4) No fee shall be collected for any of the following permits:

(a) Highway killed deer/bear permit.

(b) Deer damage shooting permit.

(c) Damage and nuisance animal control permit.

(d) Rehabilitation permit.

(e) Bovine tuberculosis (TB) control permit.

Issued this 4th day of June, 2004.

Approved as to matters over which the Natural Resources Commission has authority.

Keith J. Charters, Chairman
Natural Resources Commission

Approved as to matters over which the Director has authority.

Rebecca A. Humphries
Director